

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

GLENNIS STEWART,

Plaintiff,

v.

CORIZON MEDICAL, LLC,

Defendants,

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No. 2:16-CV-82 CDP

MEMORANDUM AND ORDER

This matter is before me on review of plaintiff's amended complaint. Plaintiff is attempting to amend by supplementation, which is not permitted under the Federal Rules of Civil Procedure. As a result, I will strike it.

An amended complaint must contain *all* of a plaintiff's claims. *E.g., In re Wireless Telephone Federal Cost Recovery Fees Litigation*, 396 F.3d 922, 928 (8th Cir. 2005). Any claims that are not alleged are deemed abandoned. *Id.* In this case, plaintiff's amended complaint does not contain any factual allegations against the defendants who have answered the original complaint. Therefore, if I were to allow the proposed amendment, I would be required to dismiss those defendants. It is obvious, however, that this is not plaintiff's intention.

I will give plaintiff one more opportunity to file an amended complaint. The amended complaint must contain *all* of plaintiff's factual allegations against *each* defendant. Plaintiff must allege how each and every defendant is directly responsible for the alleged harm. In order to sue defendants in their individual capacities, plaintiff must specifically say so in the complaint. If plaintiff fails to sue defendants in their individual capacities, this action may be subject to dismissal. To state a claim against Corizon, plaintiff must allege facts showing that

one of its policies or customs is responsible for the alleged constitutional violation. *Monell v. Dep't of Social Services*, 436 U.S. 658, 690-91 (1978).

Accordingly,

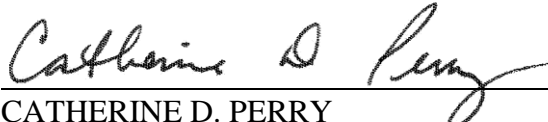
IT IS HEREBY ORDERED that plaintiff's amended complaint (Doc. 18) is **STRICKEN**.

IT IS FURTHER ORDERED that plaintiff may file an amended complaint within twenty-one (21) days of the date of this Order.

IT IS FURTHER ORDERED that the Clerk is directed to send plaintiff a prisoner civil rights complaint form.

IT IS FURTHER ORDERED that if plaintiff fails to file an amended complaint within this time, the Court will proceed with this action.

Dated this 18th day of April, 2017.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE